

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, OCTOBER 15, 2019, 9:00 AM

PLEASE NOTE CHANGE IN MEETING LOCATION:
COUNTY OPERATIONS CENTER
CAMPUS CENTER CHAMBERS
5520 OVERLAND AVENUE
SAN DIEGO, CALIFORNIA 92123

Order Of Business

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Presentation or Announcement of Proclamations and Awards
- E. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- F. Approval of the Statement of Proceedings/Minutes for the meeting of September 24, 2019.
- G. Formation of Consent Calendar
- H. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcountry.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Lower Level, Bayside Room, San Diego, CA 92101.

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	PROVIDING AN ADDITIONAL EMERGENCY EVACUATION ROUTE IN CREST [FUNDING SOURCE: EXISTING GENERAL PURPOSE REVENUE]

- Health and Human Services
 - 2. ADDRESSING THE PUBLIC HEALTH CRISIS FROM CIGARETTES AND ELECTRONIC SMOKING DEVICES
 - 3.* APPROVAL OF THE COMMUNITY CARE COORDINATION FOR VETERANS IMPLEMENTATION PLAN FOR SUCCESSFUL REENTRY [FUNDING SOURCE: REALIGNMENT]
 - 4.* RECEIVE REPORT ON AFFORDABLE HOUSING DEVELOPMENTS FUNDED FROM THE INNOVATIVE HOUSING TRUST FUND
 - 5.* ADOPT A RESOLUTION AUTHORIZING PARTICIPATION IN THE SECOND ROUND NOTICE OF FUNDING AVAILABILITY FOR NO PLACE LIKE HOME FUNDS [FUNDING SOURCE: STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT NPLH PROGRAM FUNDS AND MENTAL HEALTH SERVICES ACT FUNDING]
 - 6. EXEMPTION FROM SPARE WHEEL REQUIREMENTS FOR SAN DIEGO COUNTY AMBULANCES
- Land Use and Environment
 - 7. STRENGTHENING OUR INVESTMENT IN ROAD MAINTENANCE
- Financial and General Government
 - 8. NOTICED PUBLIC HEARING: ISSUANCE OF A REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LITERACY FIRST CHARTER SCHOOL ISSUER, LLC AND LITERACY FIRST CHARTER SCHOOLS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$14,000,000
 - 9. INTERAGENCY FUNDING AGREEMENT FOR BAYFRONT PUBLIC INFRASTRUCTURE INVESTMENT [FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE]
 - 10.* ADOPT AN ORDINANCE ESTABLISHING A COMMUNITY CHOICE ENERGY PROGRAM AND RECEIVE UPDATE ON FORMING A JOINT POWERS AUTHORITY AND RENEWABLE ENERGY SUPPLY
 - 11. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2) [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
 - 12. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 3) [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
 - 13. CALIFORNIA ARTS COUNCIL GRANTS FOR STATE-LOCAL PARTNERSHIP PROGRAM
 - 14. BORREGO SPRINGS UNIFIED SCHOOL DISTRICT GENERAL OBLIGATION BONDS (ELECTION OF 2018, SERIES A)

*Presentation

15. GROSSMONT UNION HIGH SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2016, SERIES C)
16. GROSSMONT UNION HIGH SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2008, SERIES I)
17. SAN DIEGO UNIFIED SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2012, SERIES K & L)
(ELECTION OF 2018, SERIES C)
18. AN ORDINANCE TO AMEND SECTIONS 86.1 AND 86.2 AND TO ADD SECTIONS 86.3 THROUGH 86.11 TO THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY CLERK
[FUNDING SOURCE: FEES PAID BY CUSTOMERS]
19. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
REVISIONS TO ADMINISTRATIVE CODE TO ENHANCE LOCAL PREFERENCE PROGRAM AND ESTABLISH DEBARMENT POLICY FOR CONTRACTORS
20. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (09/24/2019 - FIRST READING;
10/15/2019 - SECOND READING)
[FUNDING SOURCE: A COMBINATION OF GENERAL PURPOSE REVENUES AND VARIOUS PROGRAM REVENUES]

Communications Received 21. COMMUNICATIONS RECEIVED

Appointments 22. APPOINTMENTS: VARIOUS

Closed Session 23. CLOSED SESSION

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1. SUBJECT: PROVIDING AN ADDITIONAL EMERGENCY EVACUATION ROUTE IN CREST (DISTRICT: 2)

OVERVIEW

The County of San Diego has been working with the Crest Fire Safe Council, San Miguel Consolidated Fire Protection District, San Diego County Sheriff's Department and the San Diego County Fire Authority to plan for an additional emergency evacuation route for the residents of Crest.

The recommended actions will authorize the Chief Administrative Officer to negotiate and acquire permanent easements for the County of San Diego to allow for the use of the Suncrest Truck Trail, from approximately the 32nd block of Suncrest Boulevard west to where Camino Monte Sombra begins, as an emergency evacuation route.

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB

1. Find that approval to acquire access easements over the Suncrest Truck Trail as an emergency only evacuation route is exempt from the California Environmental Quality Act (CEQA), in accordance with sections 15061(b)(3) and 15304 of the CEQA Guidelines.
2. Authorize the Chief Administrative Officer or designee to negotiate the acquisition of access easements over the Suncrest Truck Trail from the existing underlying property owners for use as evacuation routes emergency only, and to execute all required documentation, subject to agreement by said property owners.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the San Diego County Fire Authority. If approved, this request will result in costs of \$35,000 in Fiscal Year 2019-20. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. SUBJECT: ADDRESSING THE PUBLIC HEALTH CRISIS FROM CIGARETTES AND ELECTRONIC SMOKING DEVICES (DISTRICTS: ALL)

OVERVIEW

Smoking is the leading preventable cause of death in the United States, causing more than 480,000 deaths each year. Secondhand smoke causes another 41,000 preventable deaths each year in nonsmoking persons (Centers for Disease Control and Prevention). The recent rise in use of "electronic smoking devices" (electronic cigarettes or e-cigarettes), particularly among youth, threatens to undo decades of progress to reduce the prevalence of smoking. As of October 3, 2019, there have been 19 confirmed deaths and more than 1,080 confirmed and probable vaping-associated pulmonary injury (VAPI) cases. In San Diego County, there have been 22 confirmed and probable VAPI cases reported among County residents.

The County of San Diego should take immediate action to address this public health crisis.

Today's action contains several measures designed to improve public health for County residents. The County should take steps to prohibit the sale and distribution of flavored products for smoking, as well as implement a moratorium on the sale and distribution of e-cigarettes. Also, a vaping public health campaign can be used to raise awareness. Another recommendation is to limit the risks of secondhand smoke by prohibiting smoking and e-cigarette use in outdoor dining patio areas, including a buffer zone.

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB AND SUPERVISOR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to return to the Board within 60 days with recommendations that would apply to the unincorporated area for the following:
 - a. Prohibit the sale and distribution of all flavored products for "smoking" as defined by State law;
 - b. Establish a one-year moratorium on the sale and distribution of all electronic smoking devices; and
 - c. Prohibit "smoking," as defined by State law, in outdoor dining patio areas, and a buffer zone outside of outdoor dining patio areas.
2. Direct the Chief Administrative Officer to return to the Board within 180 days with recommendations that would apply to the unincorporated area for the following:
 - a. Establish a tobacco retail licensing program to strengthen enforcement of minimum age sale laws and to facilitate compliance monitoring of retailers; and
 - b. Revise applicable sections of County Administrative Code related to tobacco control regulation to align with State law and resolve any inconsistencies and duplications.
3. Direct the Chief Administrative Officer to conduct a targeted vaping public health awareness campaign within the existing Tobacco Control Resource Program, and in coordination with the California Department of Public Health.

FISCAL IMPACT

The Chief Administrative Officer will evaluate the fiscal impact associated with enforcement. County Health & Human Services Agency can process the requested ordinance changes within existing budget.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: APPROVAL OF THE COMMUNITY CARE COORDINATION FOR VETERANS IMPLEMENTATION PLAN FOR SUCCESSFUL REENTRY (DISTRICTS: ALL)**

OVERVIEW

San Diego County is home to the largest concentration of active duty military service members and veterans in the world, with over 241,000 veterans residing in the region in 2018. While most veterans are thriving members of our community, at any given time there are hundreds of veterans in local jails due to complex issues who may need additional support and resources to reintegrate into the community and find long-term stability. The Board of Supervisors (Board) is

committed to providing enhanced resources and supportive services to local veterans. In 2013, the San Diego County Sheriff's Department, in partnership with the U.S. Department of Veterans Affairs (VA), and community providers implemented the Veterans Moving Forward (VMF) program. The VMF program assists incarcerated veterans by providing necessary in-custody treatment, services, and community linkages to reduce the cycle of incarceration. The program was developed with the goal of structuring an environment for veterans to draw upon the positive aspects of their shared military culture, create a safe place for healing and rehabilitation, and foster positive peer connections.

In March 2019, after a review of the VMF program, the San Diego Association of Governments (SANDAG) released *Veterans Moving Forward: Process and Impact Evaluation Results of the San Diego County Sheriff's Department VMF Program Summary Overview*. While the report found that the program demonstrated a successful collaborative approach between the Sheriff's Department, the VA, and community providers, the evaluation identified some areas that could be strengthened to give veterans transitioning out of custody additional support to increase their success in the community. These included meeting basic needs, housing, and employment, among others.

On June 4, 2019 (01), in an action led by Supervisors Kristin Gaspar and Jim Desmond, the Board directed the Chief Administrative Officer to address these gaps by enhancing the VMF program. Specifically, they identified the Community Care Coordination (C3) program as a framework to be used to address the barriers of housing, connections to services, and financial stability for VMF participants. The C3 framework, adopted by the Board on September 11, 2018 (06), addresses the unmet needs of individuals that are homeless, have a serious mental illness, and are involved in the justice system. In addition, the Board also directed the development of enhanced vocational opportunities for participants exiting the VMF program to help establish pathways for job opportunities for veterans returning to the community.

If approved, today's requested action would accept a proposed *C3 for Veterans* Implementation Plan which will enhance the VMF program using a peer support team to increase connections to services and reduce recidivism through housing assistance, care coordination, and increased opportunities for vocational training for local veterans. In addition, today's recommendation requests authority to carry out the Implementation Plan through a competitively procured contract. This item supports the *Live Well San Diego* vision of healthy, safe, and thriving communities by improving the lives of veterans to help increase self-sufficiency and reduce recidivism through comprehensive care coordination and access to safe and affordable housing.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Accept the *C3 for Veterans* Implementation Plan.
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, to issue a Request for Proposals and subject to successful negotiations and a determination of a fair and reasonable price, award a contract(s) for Community Care Coordination program services for veterans exiting the Veterans Moving Forward program at Vista Detention Facility, for an initial term of up to one year with up to four one-year option periods and up to six month option to extend, and to amend the contract(s) as needed to reflect changes to service levels and funding, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency (HHS). If approved, this request will result in no change in costs and revenue in Fiscal Year 2019-20 and costs of approximately \$1,200,000 in Fiscal Year 2020-21. Funds for subsequent years of approximately \$1,200,000 in Fiscal Year 2020-21 and \$2,200,000 annually in Fiscal Year 2021-22 through Fiscal Year 2024-25 will be incorporated into the Fiscal Year 2020-22 CAO Recommended Operational Plan and future operational plans. The funding source is Realignment. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. SUBJECT: RECEIVE REPORT ON AFFORDABLE HOUSING DEVELOPMENTS FUNDED FROM THE INNOVATIVE HOUSING TRUST FUND (DISTRICTS: ALL)

OVERVIEW

On June 20, 2017 (21), at the recommendation of Supervisors Dianne Jacob and Ron Roberts, the San Diego County Board of Supervisors (Board) established an Innovative Housing Trust Fund (Trust Fund) to address shrinking affordable housing options across the region. The Board has provided a total of \$50 million for the Trust Fund to foster the creation of affordable housing, comprised of \$25 million upon the launch of the Trust Fund and a second infusion of \$25 million on April 30, 2019 (7) at the recommendation of Supervisors Dianne Jacob and Greg Cox.

As a result of the first Notice of Funding Availability (NOFA) issued on December 7, 2017 by the County of San Diego Health and Human Services Agency (HHS), approximately \$12 million in Trust Funds were awarded to six developments. Of the 453 permanent affordable housing units those funds will help build, 274 units are now under construction and 94 have been completed and are available for lease.

In November 2018, HHS issued a second NOFA for \$13 million in Trust Fund dollars. The NOFA closed on March 29, 2019 with 15 proposals received. Of these proposals, four were deemed ready to proceed to negotiations and were issued conditional offers for funding. Dependent upon successful negotiations, the four proposals may result in up to 299 units with a total Trust Fund investment of up to \$13 million. These proposals are detailed in Attachment A - Summary of conditionally approved developments.

A third NOFA was released for the second \$25 million on July 1, 2019 and closed on September 3, 2019. Sixteen proposals were received, totaling over \$55 million in requested financing. Proposals are currently undergoing the initial threshold review to determine project readiness and eligibility based on the NOFA requirements.

The Trust Fund spurs the production and preservation of affordable housing through enhanced partnerships with regional stakeholders and results in projects that will have affordability restrictions for up to 99 years. These efforts align with the County of San Diego's *Live Well San Diego* vision for a healthy, safe and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) that the receipt of the report on the status of the Innovative Housing Trust Fund is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Receive this report on the status of the Innovative Housing Trust Fund.

FISCAL IMPACT

There is no fiscal impact associated with this item. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: ADOPT A RESOLUTION AUTHORIZING PARTICIPATION IN THE SECOND ROUND NOTICE OF FUNDING AVAILABILITY FOR NO PLACE LIKE HOME FUNDS (DISTRICTS: ALL)**

OVERVIEW

The State of California’s No Place Like Home (NPLH) Program provides funding to local communities for the development of permanent supportive housing for persons in need of mental health services who are experiencing homelessness or are at-risk of homelessness. The County of San Diego is eligible for two separate funding allocation categories of the NPLH Program: the Noncompetitive Program allocation and the Competitive Alternative Process County allocation. It is estimated that the County of San Diego is eligible to receive a total of approximately \$125 million (\$12.7 million under the Noncompetitive Program and \$112 million under the Competitive Alternative Process County allocation) in NPLH Program grant funds. The San Diego County Board of Supervisors previously authorized the County of San Diego Health and Human Services Agency (HHS) to participate in the Noncompetitive Program on November 13, 2018 (9), and the First Round Competitive Alternative Process Allocation on February 12, 2019 (01).

Today’s proposed or recommended actions will adopt a Resolution that authorizes the County of San Diego to apply for and accept the Competitive Alternative Process County allocation under the second round Notice of Funding Availability. The Resolution will also allow the Agency Director, HHS to enter into, execute, and deliver any and all NPLH Program documents required. The Resolution also states that the County of San Diego will make mental health supportive services available to support the NPLH units for a minimum of 20 years.

Today’s actions support the County of San Diego’s *Live Well San Diego* vision by ensuring low-income residents have access to suitable living environments as well as enhancing the quality of life for residents by encouraging decent and affordable housing, which promotes a healthy, safe, and thriving region.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution entitled:
A RESOLUTION AUTHORIZING PARTICIPATION IN THE SECOND ROUND NOTICE OF FUNDING AVAILABILITY FOR NO PLACE LIKE HOME FUNDS.
3. Authorize the Agency Director, Health and Human Services Agency, or designee, to issue Notices of Funding Availability, publish notices, award contracts and execute agreements, amend existing contracts as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by State of California, Department of Housing and Community Development for Recommendation 2, as applicable.
4. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue Competitive Solicitation(s) for the No Place Like Home Program funds; and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts; and to amend the contracts to reflect changes in program, funding, or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for the second round Notice of Funding Availability (NOFA) for No Place Like Home (NPLH) Program Competitive Alternative Process County allocation are not included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency (HHSA). If approved, this request will allow HHSA to apply for and receive approximately \$40.0 million during the second round of funding for the NPLH Program Alternative Process County allocation resulting in costs and revenue of approximately \$0.5 million in Fiscal Year 2019-20, which will be covered by existing appropriations, \$15.5 million in Fiscal Year 2020-21, \$17.5 million in Fiscal Year 2021-22, and \$6.5 million in Fiscal Year 2022-23. The funding source is the State of California, Department of Housing and Community Development NPLH Program funds and Mental Health Services Act funding. There will be no change in General Fund cost.

On November 13, 2018 (9) and on February 12, 2019 (01), the Board adopted resolutions approving participation in the Noncompetitive portion and the Competitive Alternative Process allocation of the NPLH program. Additionally, the State is anticipated to release another two rounds of NOFA for the NPLH Competitive Alternative Process County allocation over the next two years which will be brought back to the Board to adopt. Once all funding components of NPLH are released and authorized, the County is anticipated to receive approximately \$125 million in total program funds through the end of the State project in Fiscal Year 2023-24.

BUSINESS IMPACT STATEMENT

This proposal will have a positive impact on the business community since the recommended actions will result in construction work to be performed at properties that are awarded funding. Contracts resulting from these recommendations may be executed with private sector firms and will involve a competitive bid process. It is estimated that the No Place Like Home Program funds will result in the development of approximately 550 affordable housing units over the next five years.

6. SUBJECT: EXEMPTION FROM SPARE WHEEL REQUIREMENTS FOR SAN DIEGO COUNTY AMBULANCES (DISTRICTS: ALL)

OVERVIEW

California Code of Regulations, Title 13, Section 1103 requires that ambulances carry spare wheels with inflated tires of appropriate load rating and tools for wheel changes. Title 13, Section 1108 grants the Department of the California Highway Patrol (CHP) discretionary authority to exempt ambulances from the requirements upon a showing of good cause. Additionally, California Vehicle Code Section 2512 mandates exemption for noncommercial ambulances upon request from the Board of Supervisors for reasons of public health and safety. Exemption from the spare wheel requirements enables ambulances to carry additional medical equipment and supplies.

The Board previously approved such exemptions, the latest of which will expire December 31, 2019. Today's action requests continued exemption from the spare wheel requirements for ambulance services operating in San Diego County for the period of January 1, 2020 through December 31, 2021.

Today's proposed action supports the County's *Live Well San Diego* vision by ensuring ambulance providers' the ability to maximize space available for medical equipment and supplies needed for patient care.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve, for good cause deemed necessary by the Emergency Medical Care Committee and in the interest of public health and safety, the request for exemption from the ambulance spare wheel and tools requirements for the period of January 1, 2020 through December 31, 2021 for the following San Diego County cities, special districts, fire and ambulance agencies, in accordance with California Vehicle Code, Section 2512, and California Code of Regulations, Title 13, Sections 1108(a) and (b).
 - a. Cities of: Carlsbad, Coronado, El Cajon, Escondido, Oceanside, Poway, San Marcos, Santee, and Vista.
 - b. Fire Protection Districts of: Lakeside, North County and Valley Center.
 - c. Ambulance Agencies: American Medical Response, Balboa Ambulance Service, Inc., Rural/Metro Corporation and Mercy Medical Transportation, Inc.
2. Authorize the Clerk of the Board of Supervisors to forward the Board's approval to: Department of California Highway Patrol, Enforcement Services Division, P.O. Box 942898, Sacramento, CA 94298-0001, Attention: Commercial Vehicles Section.

FISCAL IMPACT

There is no fiscal impact associated with the recommendations.

BUSINESS IMPACT STATEMENT

N/A

7. SUBJECT: STRENGTHENING OUR INVESTMENT IN ROAD MAINTENANCE (DISTRICTS: ALL)

OVERVIEW

On May 2, 2017 (11), the Board of Supervisors (Board) directed the Chief Administrative Officer to achieve an average Pavement Condition Index (PCI) of 70 for the County of San Diego (County) road network. The County uses the PCI, an international standard used by cities and counties across the nation, to rate the condition of roads. PCI provides a rating system for road conditions from zero to 100, and the PCI number represents the average condition of all the roads in a network.

To achieve this effort, on June 21, 2017 (14) the Board fronted \$28 million from the County’s General Fund to cover a potential gap in state funding for road maintenance, with the intention to reimburse the County General Fund through future Road Repair & Accountability Act of 2017 (Road Repair Act) dollars.

Rather than shifting \$28 million in critical road funding back to general purpose revenue, today’s action would ensure that these dollars are used for much needed road maintenance projects. This action will also safeguard our road maintenance in the event of diminishing federal, state, or local funding sources.

RECOMMENDATION(S)

SUPERVISOR DESMOND AND CHAIRWOMAN JACOB

Direct the Chief Administrative Officer to amend the resolution entitled, RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE GENERAL FUND TO ADVANCE FUND RESURFACING AND REHABILITATION COSTS TO ACHIEVE AN AVERAGE PAVEMENT CONDITION INDEX OF 70 ON COUNTY ROADS WITHIN FIVE YEARS IN AN AMOUNT NOT TO EXCEED \$28,000,000 AND FOR THE SUBSEQUENT SCHEDULED REIMBURSEMENT OF THE GENERAL FUND BY THE ROAD FUND, and take other actions necessary to forgive the planned repayment of \$28,000,000 from the Road Fund to the County General Fund, and return to the Board within 90 days for adoption.

FISCAL IMPACT

The \$28,000,000 was anticipated to be repaid to the County General Fund over five fiscal years commencing in Fiscal Year 2024-25. An annual total of \$5,600,000 of Road Repair Act funds, for five fiscal years, instead would be used specifically to fund future road maintenance projects, as stipulated by the Road Repair and Accountability Act of 2017.

BUSINESS IMPACT STATEMENT

N/A

**8. SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF A REVENUE BONDS BY THE CALIFORNIA
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF
LITERACY FIRST CHARTER SCHOOL ISSUER, LLC AND LITERACY
FIRST CHARTER SCHOOLS IN AN AGGREGATE AMOUNT NOT TO
EXCEED \$14,000,000 (DISTRICT: 2)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority (“CMFA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$14,000,000 (the “Bonds”), for the benefit of Literacy First Charter School Issuer, LLC and Literacy First Charter Schools, its sole member. The Literacy First Charter School Issuer, LLC is a California limited liability company (the “Borrower”). Literacy First Charter Schools (the “Corporation”) is a California nonprofit public benefit corporation organized and existing under the laws of the State of California. The Borrower has applied for the financial assistance of the Authority to: (1) finance the costs of the acquisition, construction, improvement, furnishing and equipping of certain charter school educational facilities located at 1012 East Bradley Avenue, El Cajon, California operated as a charter school known as Literacy First Junior Academy serving grades 4 through 8; (2) reimburse the Borrower for up to \$500,000 of the costs of purchasing certain land adjacent to the Bradley Facility (“Bradley Land”); (3) refinance (through purchase and cancellation) the Issuer’s Charter School Lease Revenue Bonds Series 2010 outstanding in the aggregate principal amount of approximately \$3,000,000, the proceeds of which were applied by the Borrower to finance the acquisition, renovating, improving and equipping of certain charter school facilities located at 698 West Main Street, El Cajon, California, operated as a charter school known as Liberty Academy serving grades K through 6 (the “Liberty Facility” and, collectively with the Bradley Facility and the Bradley Land, the “Facilities”); (4) reimburse the Borrower for up to \$2,000,000 capital expenditures made by the Borrower in connection with the Facilities; (5) fund capitalized interest and reserve funds, if necessary, with respect to the Bonds; and (6) pay certain expenses incurred in connection with the issuance of the Bonds. The Facilities will be owned by the Borrower and leased to the Corporation.

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue revenue bonds, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority’s issuance of the Bonds. Although the Authority will be the issuer of the Bonds for the Borrower, the financing cannot proceed without the approval of an applicable legislative body.

Today’s recommendations will provide the Authority with the required authorization to pursue its determination to issue the Bonds on behalf of the Borrower for the Project.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING OF THE ISSUANCE OF CHARTER SCHOOL REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY, IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION AND EQUIPPING OF EDUCATIONAL FACILITIES FOR USE BY LITERACY FIRST CHARTER SCHOOLS AND CERTAIN OTHER MATTERS RELATING THERETO.

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,030 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

The Borrower will be responsible for the payment of all present and future costs in connection with issuance of the financing. The County will incur no obligation of indebtedness as a result of these actions.

BUSINESS IMPACT STATEMENT

N/A

9. **SUBJECT: INTERAGENCY FUNDING AGREEMENT FOR BAYFRONT PUBLIC INFRASTRUCTURE INVESTMENT (DISTRICT: 1)**

OVERVIEW

The County recognizes the essential role of sustainable economic development in providing for a healthy regional economy. Economic development also helps enable residents to achieve and maintain self-sufficiency. To this end, the County supports economic development activities that strengthen and balance the economic health of the region, while maintaining or improving the quality of life of its residents.

On September 9, 2019, the City of Chula Vista, the San Diego Unified Port District (“District”) and the Chula Vista Bayfront Facilities Financing Authority sent a formal request to the County requesting a \$25 million contribution toward the Chula Vista Bayfront Project for key public infrastructure needs. The \$25 million contributed by the County, plus interest, would be recaptured in future property tax increment. In the event projections of property tax increment do not come to fruition, the District will guarantee the difference. The \$25 million, plus interest, will be recaptured in 15 years or less. This project will help spur economic development in the region. Today’s action will authorize the Chief Administrative Officer to execute a funding agreement for up to \$25 million to the Chula Vista Bayfront Project.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Funding Agreement approving the contribution towards the construction of the Chula Vista Bayfront Project public infrastructure improvements and authorize execution of said Funding Agreement by the Chief Administrative Officer.
2. Authorize the Auditor and Controller to establish a Commitment within the General Fund for the Chula Vista Bayfront Project public infrastructure improvements in the amount of \$25.0 million based on available prior year General Fund fund balance for contribution towards the construction of the Chula Vista Bayfront Project.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-21 Operational Plan. If approved, this request will result in costs of \$8,333,333.00 in each of Fiscal Years 2020-21 through 2022-23, for a total of \$25 million. The funding source is available prior year General Fund fund balance. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

The Chula Vista Bayfront Project is anticipated to create 7,800 project-generated jobs and 16,000 future jobs, with an annual economic impact of \$475 million for Phase 1A and \$1.7 billion upon completion of the overall Bayfront Project.

- 10. SUBJECT: ADOPT AN ORDINANCE ESTABLISHING A COMMUNITY CHOICE ENERGY PROGRAM AND RECEIVE UPDATE ON FORMING A JOINT POWERS AUTHORITY AND RENEWABLE ENERGY SUPPLY (DISTRICTS: ALL)**

OVERVIEW

Community Choice Energy (CCE), also known as Community Choice Aggregation (CCA), is an energy supply program that allows a local public agency to meet the energy needs of its constituents by aggregating the buying power of individual customers within its territorial jurisdiction. In a CCE service territory, the incumbent utility company continues to own, operate, and maintain the transmission and distribution infrastructure, and provide metering and billing services. The CCE buys the power and sells it to the customers through this transmission and distribution system. On February 26, 2019 (5) the Board of Supervisors (Board) directed the Chief Administrative Officer to develop options for a CCE program and return to the Board by October 2019 with options, pros and cons, and a business plan, and report back to the Board on progress every two months. On April 9, 2019 (9), the first progress update was a Board hosted public workshop on CCE. On June 25, 2019 (7) the Board received the second update on the Technical Feasibility Study and Business Plan being prepared by the County's consultant, EES Consulting, Inc., and approved a set of Guiding Principles setting County terms for establishing a County CCE or joining others in forming a Joint Powers Authority (JPA). On September 10, 2019 (13), the Board received the final Technical Feasibility Study and Business Plan and directed staff to engage with potential JPA partners, that would likely include the City of Carlsbad, and others who are interested, and return to the Board with an Ordinance establishing a CCE Program and a negotiated JPA agreement for approval. The Board also requested staff return with full documentation on the supply of renewable energy and address other questions that were raised by the Board at the September 10, 2019 meeting.

Following the September 10, 2019 Board meeting, staff continued discussions on forming a CCE JPA with several local agencies, including the Cities of Carlsbad, Del Mar, Solana Beach and Santee. Despite significant progress resulting from diligent and good faith negotiations by all parties, staff were unable to reach final agreement on all material issues.

Today's action presents documentation regarding supply of renewable energy and answers other questions requested by the Board, presents an Ordinance electing to implement a CCE program within the jurisdictional boundaries of the County of San Diego, and seeks direction to staff to continue negotiations with potential CCE JPA partners and return to the Board with options for CCE JPA partnerships prior to October 1, 2020. This item supports implementation of the County's Climate Action Plan (CAP) Measure E-2.1 "Increase Renewable Electricity," which anticipates 90% renewable electricity for the unincorporated area by 2030.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Supplemental Environmental Impact Report (EIR), dated February 14, 2018, on file with Planning & Development Services (PDS) as Environmental Review Number PDS2016-ER-00-003 was completed in compliance with the California Environmental Quality Act (CEQA) and the state CEQA Guidelines and that the Board has reviewed and considered the information contained therein prior to approving the project; and

Find that there are no changes in the project or the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified Final Supplemental EIR dated February 14, 2018, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklist dated October 15, 2019.

2. Find that the project is also exempt from CEQA pursuant to CEQA Guidelines Section 15308 - Actions by Regulatory Agencies for Protection of the Environment - as explained in the Notice of Exemption dated October 15, 2019.
3. Approve the introduction of the Ordinance (First Reading), read title and waive further reading of the Ordinance:
AN ORDINANCE OF THE COUNTY OF SAN DIEGO ELECTING TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM.

If, on October 15, 2019, the Board takes this recommended action, then on October 29, 2019:

Consider and adopt the Ordinance (Second Reading):

AN ORDINANCE OF THE COUNTY OF SAN DIEGO ELECTING TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM.

4. Direct staff to continue negotiations with potential CCE JPA partners and return to the Board with options for CCE JPA partnerships prior to October 1, 2020.

FISCAL IMPACT

There is no fiscal impact from this action. However, on February 26, 2019 (5) the Board redirected \$125,000 in appropriations from the Department of Planning and Development

Services to the Department of General Services previously established for the completion of a comparative analysis of energy procurement options including a possible County CCE. The Board also appropriated an additional \$180,000 in Fiscal Year 2019-20 Operational Plan to the Department of General Services, for a total of \$305,000, all for the development of a Technical Feasibility Study and Business Plan for a potential County of San Diego CCE. To date, a total of approximately \$120,000 has been expended or encumbered, leaving a balance of \$185,000 available for future CCE related actions. If the Board decides to proceed as recommended today, remaining funding will be utilized as needed to complete JPA negotiations.

BUSINESS IMPACT STATEMENT

N/A

11. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2)

OVERVIEW

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2019-2020 Operational Plan in order to further public purposes throughout San Diego County.

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB

1. Allocate \$10,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to the Center for Community Solutions (CCS) to partially fund acquisition of a server and other equipment to improve internet connectivity and data handling capability.
2. Allocate \$135,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont Union High School District (GUHSD) to partially fund an all-weather track resurfacing project at Granite Hills High School in unincorporated El Cajon, CA.
3. Allocate \$100,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Ramona Town Hall, Inc. for costs associated with the planning and permitting for the Main Hall renovation project in Ramona, CA.
4. Find that the grant awards described above have a public purpose.
5. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
6. Find that the grants identified in Recommendation Nos. 2 and 3 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$245,000. Funds for these requests are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

12. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 3)

OVERVIEW:

Neighborhood Reinvestment Program funding assists non-profit organizations in providing essential services to citizens of San Diego County. Reinvesting taxpayer money in worthwhile organizations is a benefit to the citizens and communities of San Diego County.

RECOMMENDATION(S)

SUPERVISOR KRISTIN GASPAR

1. Allocate \$14,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Asian Business Association, San Diego (ABASD) to help fund the development and implementation of a new website and the purchase of a Customer Relations Management (CRM) system to help expand online support for Asian Pacific Islander owned small businesses.
2. Allocate \$18,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Biocom Institute to help fund the development of a new website (www.lovestemsd.org <<http://www.lovestemsd.org>>) to help support their STEM Week programs.
3. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Just in Time for Foster Youth (JIT) to fund the purchase of software integrations for their Customer Relationship Management (CRM) system, taking the technology platform to the next level; this will further aid JIT to help transition-age foster youth achieve self-sufficiency and well-being.
4. Allocate \$40,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Kiwanis Club of Hidden Valley Foundation to fund the purchase and installation of a playground structure adjacent to the Ranger Station at Dixon Lake, 1700 North La Honda Drive, Escondido, CA 92027.
5. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Mainly Mozart, Inc. to help fund the purchase of a new website, print collateral, banners signage, and audio/video materials for Mainly Mozart's Mozart and the Mind.
6. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Poway Center for the Performing Arts Foundation dba Poway OnStage to help fund the printing of key marketing pieces such as brochures and invitations for their fiscal year 2019/2020 season.
7. Allocate \$13,300 from the Neighborhood Reinvestment Program budget (Org 15660) to the Rancho Bernardo Historical Society to fund the restoration of their museum entrance located at 13330 Paseo Del Verano Norte, San Diego, CA 92128.

8. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Rotary Club of Rancho Bernardo Sunrise for community banners signage, t-shirts for Oktoberfest, and advertising materials for Oktoberfest.
9. Allocate \$42,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the San Diego Unified School District to help fund services for all students so they can continue to provide weekly after school drug counseling combined with regular drug and alcohol testing to ensure students stay clean and sober while receiving mental health support to confront possible addiction issues.
10. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to The North Shore Symphony dba The North Coast Symphony Orchestra (NCSO) to help fund the purchase of sound/PA system, Musser concert chimes, Musser orchestra bells, Musser xylophone, and symphonic tam tam gong.
11. Allocate \$12,250 from the Neighborhood Reinvestment Program budget (Org 15660) to Theater and Arts Foundation of San Diego dba La Jolla Playhouse to help fund the purchase of new lighting equipment for their main-stage theaters which will enable them to provide outstanding theatre experiences for San Diego County audience members and patrons.
12. Find that the grant awards described above have a public purpose.
13. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grant.
14. Find that the grants identified in Recommendation Nos. 4, 7 and 11 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$189,550. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15660). The funding source is General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

13. SUBJECT: CALIFORNIA ARTS COUNCIL GRANTS FOR STATE-LOCAL PARTNERSHIP PROGRAM (DISTRICTS: ALL)

OVERVIEW

This item designates the City of San Diego Commission for Arts and Culture to serve as the California Arts Council (CAC) State/Local Partner (SLP) in San Diego County and authorizes the application for and acceptance of Grant Funds from the SLP Program under CAC. The goals for these Grant Funds are to support the work of local arts agencies in fostering the countywide arts and cultural ecosystem; provide funds to address priorities identified at the local level in

alignment with SLP program requirements; promote equity in programming and services for communities, cultures, and creative practices throughout each county with a designated SLP; serve every county in the state through a designated SLP in each county.

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

Adopt the resolution titled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DESIGNATING THE CITY OF SAN DIEGO COMMISSION FOR ARTS AND CULTURE AS THE COUNTY’S OFFICIAL STATE-LOCAL PARTNER WITH THE CALIFORNIA ARTS COUNCIL, AND AUTHORIZING THE CITY OF SAN DIEGO TO APPLY FOR, ACCEPT, AND ADMINISTER THE STATE-LOCAL PARTNER GRANT FUNDS FOR FISCAL YEARS 2019-2024.

FISCAL IMPACT

There is no fiscal impact to the County of San Diego.

BUSINESS IMPACT STATEMENT

N/A

14. SUBJECT: BORREGO SPRINGS UNIFIED SCHOOL DISTRICT GENERAL OBLIGATION BONDS (ELECTION OF 2018, SERIES A) (DISTRICT: 5)

OVERVIEW

On November 6, 2018, a bond election was held in the Borrego Springs Unified School District, County of San Diego, State of California (“District”) at which the requisite 55% or more of the persons voting on the bond measure (“Measure GG Authorization”) voted to authorize the issuance and sale of \$8,600,000 principal amount of general obligation bonds of the District.

On October 3, 2019, the District authorized the issuance of the first series of bonds under the Measure GG Authorization in an aggregate principal amount not to exceed \$8,600,000 to be designated the “Borrego Springs Unified School District (San Diego County, California) General Obligation Bonds, Election of 2018, Series A” (“Series A GO Bonds”).

Today’s recommendation will request adoption of a resolution for issuance of the Series A GO Bonds. The resolution includes: authorizing the District to issue and sell Series A GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series A GO Bonds.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution Entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE BORREGO SPRINGS UNIFIED SCHOOL DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series A GO Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within its boundaries, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

15. SUBJECT: GROSSMONT UNION HIGH SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2016, SERIES C) (DISTRICT: 2)

OVERVIEW

A bond election was held in the Grossmont Union High School District, County of San Diego, California (“District”) on November 8, 2016 pursuant to Section 15100 et seq. of the Education Code of the State of California, at which at least 55% of voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$128 million (“Measure BB Authorization”).

On March 1, 2017, the District issued an aggregate principal amount of \$43,000,000 of Grossmont Union High School District 2017 General Obligation Bonds, Series A-1 and A-2 under the Measure BB Authorization.

On October 24, 2018, the District issued an aggregate principal amount of \$43,000,000 of Grossmont Union High School District 2018 General Obligation Bonds, Series B-1 and B-2 under the Measure BB Authorization.

On September 12, 2019, the District Board adopted a resolution (“District Resolution”) authorizing the issuance of one or more series of bonds under Measure BB Authorization in an aggregate principal amount not-to-exceed \$42,000,000 and to be designated “Grossmont Union High School District 2019 (San Diego County, California) General Obligation Bonds, Election of 2016, Series C” (“Series C GO Bonds”).

Today’s recommendation requests adoption of a resolution for issuance of the Series C GO Bonds. The resolution includes: authorizing the District to issue and sell Series C GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent and Investment Manager, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series C GO Bonds.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE GROSSMONT UNION HIGH SCHOOL DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND AN INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series C GO Bonds will be general obligations of the Grossmont Union High School District to be paid from ad valorem property taxes levied within the boundaries of the District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

16. SUBJECT: GROSSMONT UNION HIGH SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2008, SERIES I) (DISTRICT: 2)

OVERVIEW

A bond election was held in the Grossmont Union High School District, County of San Diego, California (“District”) on November 4, 2008 pursuant to Section 15100 et seq. of the Education Code of the State of California, at which at least 55% of voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$417 million (“Proposition U”).

Under Proposition U, the Grossmont Union High School District issued ten series of bonds for approximately \$317,056,679 (Series A - H-2) leaving a remaining authorization of approximately \$99,943,321.

On September 12, 2019, the District Board adopted a resolution (“District Resolution”) authorizing the issuance of one or more series of bonds under Proposition U in an aggregate principal amount not-to-exceed \$15,000,000 and to be designated “Grossmont Union High School District 2019 (San Diego County, California) General Obligation Bonds, Election of 2008, Series I” (“Series I GO Bonds”).

Today’s recommendation requests adoption of a resolution for issuance of the Series I GO Bonds. The resolution includes: authorizing the District to issue and sell Series I GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series I GO Bonds.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE GROSSMONT UNION HIGH SCHOOL DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND AN INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series I GO Bonds will be general obligations of the Grossmont Union High School District to be paid from ad valorem property taxes levied within the boundaries of the District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

- 17. SUBJECT: SAN DIEGO UNIFIED SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2012, SERIES K & L) (ELECTION OF 2018, SERIES C) (DISTRICTS: 1, 2, 3, 4)**

OVERVIEW

A bond election was held in the San Diego Unified School District, County of San Diego, California (“District”) on November 6, 2012 pursuant to Section 15100 et seq. of the Education Code of the State of California, at which at least 55% of voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$2.8 billion (“Measure Z”).

A bond election was held in the San Diego Unified School District, County of San Diego, California (“District”) on November 6, 2018, at which at least 55% of voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$3.5 billion (“Measure YY”).

Under Measure Z, the San Diego Unified School District issued twelve series of bonds for a total of \$1.875 billion leaving a remaining authorization of \$925 million. On September 10, 2019, the District Board adopted a resolution (“District Resolution”) authorizing the issuance of two more series of bonds under Measure Z in an aggregate principal amount not-to-exceed \$250,000,000 and to be designated “San Diego Unified School District 2019 (San Diego County, California) General Obligation Bonds, Election of 2012, Series K & L” (“Series K & L GO Bonds”).

Under Measure YY, the San Diego Unified School District issued two series of bonds for a total of \$250 million leaving a remaining authorization under Measure YY of \$3.25 billion. On September 10, 2019, the District Board adopted a resolution (“District Resolution”) authorizing

the issuance of one series of bonds under Measure YY in an aggregate principal amount not-to-exceed \$100,000,000 and to be designated “San Diego Unified School District 2019 (San Diego County, California) General Obligation Bonds, Election of 2018, Series C” (“Series C GO Bonds”).

Today’s recommendation requests adoption of a resolution for issuance of the Series K & L GO Bonds and Series C GO Bonds. The resolution includes: authorizing the District to issue and sell Series K & L and Series C GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent and Investment Manager, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series K & L GO Bonds and Series C GO Bonds.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SAN DIEGO UNIFIED SCHOOL DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND AN INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series K & L GO Bonds and Series C GO Bonds will be general obligations of the San Diego Unified School District to be paid from ad valorem property taxes levied within the boundaries of the District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

- 18. SUBJECT: AN ORDINANCE TO AMEND SECTIONS 86.1 AND 86.2 AND TO ADD SECTIONS 86.3 THROUGH 86.11 TO THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY CLERK (DISTRICTS: ALL)**

OVERVIEW

The Assessor/Recorder/County Clerk (ARCC) reviewed Recorder and County Clerk (Recorder/County Clerk) fees to determine whether the full cost of its services provided are recovered as required under Board of Supervisors Policy B-29 “Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery” (Board Policy B-29) and as authorized under various State statutes. Submitted for your Board’s consideration is the adoption of a proposed ordinance amending and adding sections to the San Diego County Code of Administrative Ordinances (Administrative Code) for fees for services provided by the Recorder/County Clerk. The proposed ordinance adjusts certain existing fees, establishes new

standard time and material rates for unspecified services performed, and repeals fees for services no longer provided. In addition, it places other pre-existing fees previously adopted by resolution and fees set by statute or a State agency in the Administrative Code for ease of public reference.

The proposed action will result in an increase in 18 fees, a decrease in 7 fees, an addition of 2 fees for time and material rates, a repeal of 16 fees, places various pre-existing fees in the Administrative Code, and makes other non-substantive changes to existing Administrative Code provisions regarding Recorder/County Clerk fees.

The Recorder/County Clerk has also taken action to identify ways to reduce the overall cost of the department. Through department-wide initiatives, the Recorder/County Clerk has improved its business processes by allowing the submission of documents through electronic recording, allowing the public to schedule their marriage appointments online, and modernizing aging systems and procedures.

The Auditor and Controller has reviewed and approved the supporting documentation and methodology for fees adjusted in this proposal.

If approved, the proposed changes will take effect on January 1, 2020.

RECOMMENDATION(S)

ASSESSOR/RECORDER/COUNTY CLERK

On October 15, 2019, approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE TO AMEND SECTIONS 86.1 AND 86.2 AND TO ADD SECTIONS 86.3 THROUGH 86.11 TO THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY CLERK.

If, on October 15, 2019, the Board takes action as recommended then, on November 19, 2019:

Consider and adopt the following Ordinance (second reading):

AN ORDINANCE TO AMEND SECTIONS 86.1 AND 86.2 AND TO ADD SECTIONS 86.3 THROUGH 86.11 TO THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES BY THE RECORDER AND COUNTY CLERK.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan. If approved, this request will result in additional estimated revenues of \$179,000.00. The funding source is fees paid by customers. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

**19. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
REVISIONS TO ADMINISTRATIVE CODE TO ENHANCE LOCAL
PREFERENCE PROGRAM AND ESTABLISH DEBARMENT POLICY
FOR CONTRACTORS (DISTRICTS: ALL)**

OVERVIEW

On September 24, 2019 (10), the Board of Supervisors introduced the Ordinances for further Board consideration and adoption on October 15, 2019.

On August 6, 2019 (16), your Board adopted the framework to improve practices and expand participation in County of San Diego contracting. This framework included an enhanced preference program for local veteran-owned businesses, local disabled veteran businesses and local small businesses, and a process for suspending/debarring contractors for egregious conduct. Today's recommendations are for the Board to amend section 405 of the San Diego County Code of Administrative Ordinances to increase the local preference program percentage to 5% and add section 429 to implement a process for suspending/debarring contractors for egregious conduct. The actions requested requires two steps: approval of the first reading of each Ordinance on September 24, 2019 and adoption of each Ordinance on October 15, 2019.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinances entitled:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES ARTICLE XXIII, DEPARTMENT OF PURCHASING AND CONTRACTING, SECTION 405 RELATING TO THE LOCAL BUSINESS PREFERENCE PROGRAM; and,

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES ARTICLE XXIII, DEPARTMENT OF PURCHASING AND CONTRACTING, ADDING SECTIONS 429 THROUGH 429.15 DEBARMENT AND SUSPENSION OF BIDDERS OR CONTRACTORS OR SUBCONTRACTORS.

FISCAL IMPACT

There is no fiscal impact associated with establishing the debarment policy, with no change in net General Fund cost and no additional staff years in Fiscal Year (FY) 2019-20.

If the proposed local preference program with an established percentage of 5% is approved and implemented, the potential increased contract costs are estimated to be between \$1M to \$2.8M, but the program would provide a positive economic impact to the San Diego region. Actual costs incurred would be dependent on the bids and proposals received, and the preference amounts applied for each bid or proposal would not exceed \$50,000. It is expected that not all procurements will meet the 5% threshold; therefore, preference implementation costs are anticipated to be lower than the maximum impact identified.

BUSINESS IMPACT STATEMENT

The County of San Diego procures a wide variety of goods and services through a portfolio of over 3,200 contracts and an annual spend of \$1.3 billion. Identifying opportunities to increase participation and diversification of the supplier base, simplifying contracting process and removing barriers to participation, and furthering public accountability and compliance can all

have a role in providing for a healthy regional economy. The advantages of the proposed enhanced preference program include assisting and improving the local economy by helping local small, local disabled veteran, and local veteran owned businesses be more competitive for County procurements resulting in job growth and positive socio-economic outcomes.

**20. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND
ADMINISTRATIVE CODE (09/24/2019 - FIRST READING; 10/15/2019 -
SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On September 24, 2019 (13), the Board of Supervisors introduced the Ordinances for further Board consideration and adoption on October 15, 2019.

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action: 1) amends compensation for twenty (20) job codes/classifications in the unclassified and classified service; 2) establishes two (2) new job codes/classifications in the classified service; 3) changes class characteristics of one (1) job code/classification from the classified to the unclassified service; 4) retitles four (4) job codes/classifications in the classified service; 5) deletes thirteen (13) job codes/classifications in the classified service; and 6) adds, amends, and repeals various sections of the Compensation Ordinance.

Today's recommendations also amend Section 31.203 of the Administrative Code pertaining to Volunteer Reserve Firefighter Stipend.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinances entitled:
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION; and,

AN ORDINANCE AMENDING SECTION 31.203 OF THE ADMINISTRATIVE CODE.

FISCAL IMPACT

Funds for the proposed salary increases are included in the Fiscal Year (FY) 2019-20 Operational Plan. The respective departments will use existing appropriations to support these proposed costs. The total estimated cost for FY 2019-20 is \$2.0 million. Subsequent year costs will be included in future Operational Plans. The funding source is a combination of General Purpose Revenues and various program revenues. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

21. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

22. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)

OVERVIEW

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees." ,” Board Policy I-1, "Planning and Sponsor Group Policies and Procedures," and Board Policy A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election."

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB

Appoint Nancy Good to the BOULEVARD COMMUNITY PLANNING GROUP, Seat No. 7, for a term to expire January 4, 2021.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Paul Robinson to the SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, Seat No. 1, for a term to begin February 1, 2020 and to expire January 31, 2023.

SUPERVISOR KRISTIN GASPAR

Appoint W. Robert Teglia as an alternate member to the ASSESSMENT APPEALS BOARD 2 (AAB), Seat No. 3, for a term to expire September 5, 2022.

CHIEF ADMINISTRATIVE OFFICER

Appoint Jose Luis Martinez Madrigal to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 14, for a term to expire October 15, 2023.

Appoint Rhea Van Brocklin to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 18, for a term to expire September 13, 2020.

Appoint Delores A. Jacobs to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 20, for a term to expire October 15, 2023.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

23. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Isabella Godshall, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 18-CV-2548-H-WVG

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Thomas M. Deleon, II, et al. v. City of Vista, et al.; United States District Court, Southern District, No. 18-CV-714-JM-BGS

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

A.B., a minor, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 18-CV-1541-MMA-LL

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

First Amendment Coalition v. County of San Diego, et al.; San Diego County Superior Court No. 37-2018-00037504-CU-WM-CTL

E. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases – 1)

F. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases – 1)

G. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Mark Mann, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 11-CV-708-GPC-BGS

H. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

In Re: National Prescription Opiate Litigation; United States District Court, Northern District of Ohio, No. 1:17-MD-02804-DAP

- I. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Mylene Huynh v. County of San Diego; San Diego County Superior Court
No. 37-2018-00020382-CU-PO-CTL

- J. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Timothy Campbell v. County of San Diego; San Diego County Superior Court
No. 37-2018-00010197-CU-NP-NC

- K. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of
Government Code section 54956.9: (Number of Potential Cases – 1)

- L. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Golden Door Properties, LLC v. County of San Diego; San Diego County Superior
Court No. 37-2018-00013324-CU-TT-CTL